

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard James Lewis et al.

Examiner: Unassigned

Serial No: 10/537,088

Art Unit: Unassigned

Filed: June 2, 2005

Docket: 16096

For: NOVEL χ -CONOTOXIN PEPTIDES (-II)

Dated: September 5, 2006

Confirmation No: 9222

Mail Stop Missing Parts
Commissioner for Patents
Alexandria, VA 22313-1450

SUBMISSION OF NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

In response to the Notification of Defective Response, Applicants advise that the Sequence Listing was previously filed in the United States Patent and Trademark Office on December 21, 2005 (OIPE date December 27, 2005). Applicants are enclosing herewith copies of the substitute paper copy of the Sequence Listing, an initial Computer Readable Form of the Sequence Listing on Disk, a Statement Under 37 C.F.R. §§ 1.821(f)(g) and a copy of the stamped postcard from the United States Patent and Trademark Office dated December 27, 2005.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 5, 2006.

Dated: September 5, 2006



Frank S. DiGiglio

Any additional charges required in connection with this submission may be charged to Deposit Account No. 19-1013/SSMP. A duplicate sheet of this sheet is enclosed.

This submission is believed to be timely and in compliance with 37 C.F.R. §1.84.

A copy of the Notification of Defective Response dated August 4, 2006 is enclosed as required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. DiGiglio'.

Frank S. DiGiglio
Registration No. 31,346

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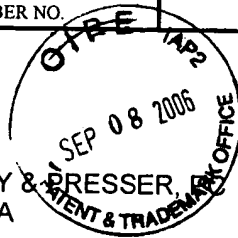


UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/537,088	FIRST NAMED APPLICANT Richard James Lewis	ATTY. DOCKET NO. 16096
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INTERNATIONAL APPLICATION NO. PCT/AU03/01606	
I.A. FILING DATE 12/02/2003	PRIORITY DATE 12/02/2002

CONFIRMATION NO. 9222
371 FORMALITIES LETTER



OC00000019883283

Date Mailed: 08/04/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 06/02/2005
- Copy of the International Search Report filed on 06/02/2005
- Copy of Annexes to the IPER filed on 06/02/2005
- Preliminary Amendments filed on 06/02/2005
- Information Disclosure Statements filed on 06/02/2005
- Oath or Declaration filed on 12/27/2005
- Biochemical Sequence Listing filed on 06/02/2005
- U.S. Basic National Fees filed on 06/02/2005

Applicant's response filed 12/27/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/09/2005 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,088	PCT/AU03/01606	16096

FORM PCT/DO/EO/916 (371 Formalities Notice)



- Copy -

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
2. Response to Notification of Missing Requirements (in duplicate)
3. Executed Declaration and Power of Attorney
4. Substitute Paper Copy of Sequence Listing
5. Computer Readable Form on disk
6. Statement under 37 C.F.R. §1.821(f)
7. Certificate of Mailing dated December 21, 2005

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